

1 BARRY J. PORTMAN
2 Federal Public Defender
3 SHAWN HALBERT
4 Assistant Federal Public Defender
5 450 Golden Gate Avenue
6 San Francisco, CA 94102
7 Telephone: (415) 436-7700

8 Counsel for Defendant

9
10
11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16
17
18 UNITED STATES OF AMERICA,) CR 07-0414 SI
19 Plaintiff,) [PROPOSED] ORDER AND
20 v.) STIPULATION CONTINUING SETTING
21 NINA L. DONEHUE,) DATE FROM NOVEMBER 2, 2007 TO
22 Defendant.) NOVEMBER 16, 2007 AND EXCLUDING
23 TIME FROM THE SPEEDY TRIAL ACT
24 CALCULATION (18 U.S.C.
25 § 3161(h)(8)(A) & (B)(iv))
26
27
28

The undersigned parties stipulate as follows:

1. The parties' next appearance before this Court is scheduled on November 2, 2007 at 11:00
2. At the last court appearance, the Court continued the next date until November 2, 2007 under
a schedule by which the defense would have approximately three weeks to evaluate discovery
that the government was going to gather and produce regarding a possible jurisdictional
challenge to the indictment. Due to the records being dispersed and more voluminous than
the parties anticipated, the defense did not receive the discovery until October 30, 2007, just
three days before the next court date. Further, the documents comprise 830 pages of new
material the includes detailed and somewhat complex agreements.
3. In light of the newly produced discovery and the defendant's previous request, the defense

STIPULATION AND [PROPOSED] ORDER
CR 07-0414 SI

requests additional time to review the 830 pages of discovery and to research whether the defense can raise a jurisdictional challenge in light of the new information.

4. In light of the above, the government does not object to the defendant's request for additional time.
 5. The parties request that the matter be continued to November 16, 2007 at 11:00 a.m. for motion or trial setting, or change of plea. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv), from November 2, 2007 to November 16, 2007. The parties concur that failure to grant the requested continuance would unreasonably deny both government and defense counsel reasonable time necessary for effective case preparation.

IT IS SO STIPULATED.

DATED:

/s/
ERIKA R. FRICK
Assistant United States Attorney

DATED:

/s/
SHAWN HALBERT
Attorney for Defendant

[PROPOSED] ORDER

With the agreement of the parties, and with the consent of the defendant, the Court enters this order (1) continuing the next appearance before this Court from, November 2, 2007 to November 16, 2007 at 11:00 a.m.; and (2) excluding time from November 2, 2007 to November 16, 2007, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO ORDERED.

DATED:

THE HON. SUSAN ILLSTON
United States District Judge

STIPULATION AND [PROPOSED] ORDER
CR 07-0414 SI